

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 04-105 (400/146))**

In the Application of:)	
)	
James McSwiggen)	
)	Examiner: Chong
Serial No.: 10/783,128)	
)	Group Art Unit: 1614
Filing Date: February 20, 2004)	
)	Confirmation No.: 2611
For: RNA INTERFERENCE MEDIATED)	
TREATMENT OF POLYGLUTAMINE)	
(POLYQ) REPEAT EXPANSION DISEASES)	
USING SHORT INTERFERING NUCLEIC)	
ACID (siNA))	

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Sections 1.56 and 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Fifth Supplemental Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. A partial recitation of the priority claim is as follows. This application is a continuation-in-part of U.S. Patent Application No. 10/757,803, filed January 14, 2004, which is a continuation-in-part of U.S. Patent Application No. 10/720,448, filed November 24, 2003. This application is also a continuation-in-part of US Patent Application No. 10/427,160, filed April 30, 2003. All of the applications recited herein are relied upon for an earlier filing date under 35 U.S.C. § 120. All numbered references are submitted herein.

Portions of the listed references may be material to the Examiner's consideration of the presently pending claims. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

Applicants enclose the fee of \$180.00 pursuant to 37 C.F.R. 1.17(p) for this filing. The Commissioner is hereby authorized to charge or credit Deposit Account Number 13-2490 for any under- or over-payment of fees associated with the papers transmitted herewith, or to credit any overpayment of same.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff LLP

Date: July 5, 2007

By: /Anita J. Terpstra/
Anita J. Terpstra
Reg. No. 47,132

McDonnell Boehnen Hulbert & Berghoff LLP
300 South Wacker Drive
Chicago, IL 60606
Telephone: 312-913-0001
Facsimile: 312-913-0002